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10 Attorneys for Bennett Goldberg and Linda Kuckuk, in their joint capacities as intestate
11 successors in interest to Aaryn Goldberg, individuals, on behalf of themselves and all others
12 similarly situated

13 UNITED STATES DISTRICT COURT
14 NORTHERN DISTRICT OF CALIFORNIA
15 OAKLAND DIVISION

16 BENNETT GOLDBERG, et al.,

17 Plaintiffs,

18 v.

19 STEPHENS INSTITUTE, a California
20 corporation,

21 Defendant.

Case No. 4:16-cv-02613-JSW

**PLAINTIFFS' SUBMISSION RE
DEFENDANT'S MOTION TO DISMISS**

Date: August 26, 2016

Time: 9:00 a.m.

Judge: Hon. Jeffrey S. White

1 Plaintiffs submit this document in recognition that a response to the defendant's
2 motion to dismiss (Dkt 21) is due today, July 25, 2016.

3 On July 19, 2016, the parties jointly submitted a Stipulation and [Proposed] Order
4 Continuing Hearing Date and Extending Time to Respond to Motion to Dismiss (Dkt 22),
5 which would have moved the date for our response to August 8, 2016. But the Court has
6 not acted on the stipulation yet.

7 Plaintiffs intend to file an amended complaint and, therefore, do not intend to file
8 a substantive response to the defendant's motion to dismiss. If the Court does not act on
9 the stipulation, the amended complaint will be due on August 1, 2016, if the Court
10 accepts the stipulation, the amended complaint will be due on August 8, 2016.

11 Dated: July 25, 2016

McGRANE PC
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12
13 By: /s/ William McGrane

14 William McGrane
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16 their joint capacities as intestate successors in interest
to Aaryn Goldberg, individuals, on behalf of
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